

AUG 30 2007

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/006,733
	Filing Date	31 October 2001
	First Named Inventor	Ernest A. Marvin III
	Art Unit	3692
	Examiner Name	T. Harbeck
Total Number of Pages in This Submission	Attorney Docket Number	83042

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks The USPTO has authorization to charge or credit any fees to the deposit account no. 14-0580 Corrected appeal brief		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Naval Undersea Warfare Center, Division Newport		
Signature	<i>James M. Kasischke</i>		
Printed name	James M. Kasischke		
Date	8/30/2007	Reg. No.	38562

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>James M. Kasischke</i>		
Typed or printed name	James M. Kasischke	Date	8/30/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 30 2007

Attorney Docket No. 83042

30 August 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: ERNEST A. MARVIN III
Serial No.: 10/006,733
Filed: 31 October 2001
For: BUSINESS DEVELOPMENT PROCESS

Group Art Unit: 3692
Examiner: T. Harbeck
Customer No. 23523

CORRECTION TO APPEAL BRIEF ON BEHALF OF THE APPELLANTS IN
APPEAL TO THE BOARD OF APPEALS

To the Board of Patent Appeals and Interferences
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

This is a correction to the brief submitted by Appellants on 17 July 2007 in the above-identified application, now under appeal before the Board of Appeals.

Please replace the section entitled "SUMMARY OF CLAIMED SUBJECT MATTER" with the following:

SUMMARY OF CLAIMED SUBJECT MATTER

The invention in independent claim 1 is a business development method for an organization utilizing a business development database. (FIG. 1; page 9, line 23 through page 10, line 16) The first step is collecting data for ideas from a plurality of sources. Appellants' step of collecting ideas is

Application No. 10/006,733

Attorney Docket No. 83042

supported at page 10, lines 12-16 of the specification. The next step of the method is identifying core equities of the organization. This is given in the specification at page 11, lines 6-20. The method then uses a step of filtering the collected idea data by identifying potential business opportunities as those collected ideas that fall within the identified core equities. Appellants' step of filtering is supported at page 10, line 24 through page 12, line 8 and in FIG. 2. Once the potential business opportunities are identified, an opportunity analysis is performed to determine valid business opportunities. Opportunity analysis is discussed on page 12, line 9 through page 22, line 10. The method then has a step of committing resources to the validated business opportunities. Committing resources is discussed on page 22, line 11 through page 26, line 21. A business proposal is developed for the valid business opportunities. The step of writing a business proposal is supported on page 28, line 5 through page 29, line 15. This developed business proposal is submitted to a potential buyer. The step of submitting the proposal to the buyer is given on page 29, lines 16-25. Success of the submission is determined. The step of determining success is given on page 30, lines 1-9. The business opportunity is executed when submission is a success. The step of executing the business plans is given on page 30, lines 10-14.

Application No. 10/006,733

Attorney Docket No. 83042

The invention in independent claim 3 is a business development method for an organization utilizing a business development database. (FIG. 1; page 9, line 23 through page 10, line 16) The first step is collecting data for ideas from a plurality of sources. Appellants' step of collecting ideas is supported at page 10, lines 12-16 of the specification. The next step of the method is identifying core equities of the organization. This is given in the specification at page 11, lines 6-20. The method then uses a step of filtering the collected idea data by identifying potential business opportunities as those collected ideas that fall within the identified core equities. Appellants' step of filtering is supported at page 10, line 24 through page 12, line 8 and in FIG. 2. Once the potential business opportunities are identified, an opportunity analysis is performed to determine valid business opportunities. Opportunity analysis is discussed on page 12, line 9 through page 22, line 10. Opportunity analysis includes grading strengths and weaknesses which is discussed at page 13, line 12 through page 19, line 4 and FIGS. 3-7. Entering project identifying information is discussed at page 12, lines 21-24, and shown at FIG. 8. Summarizing graded areas is provided at page 19, line 18 through page 21, line 8. Archiving opportunities is provided on page 22, lines 13-16. Forwarding identified potential business opportunities is provided at page 22, lines 17-20. The method then has a step of committing resources to the

Application No. 10/006,733

Attorney Docket No. 83042

validated business opportunities. Committing resources is discussed on page 22, line 11 through page 26, line 21. A business proposal is developed for the valid business opportunities. The step of writing a business proposal is supported on page 28, line 5 through page 29, line 15. This developed business proposal is submitted to a potential buyer. The step of submitting the proposal to the buyer is given on page 29, lines 16-25. Success of the submission is determined. The step of determining success is given on page 30, lines 1-9. The business opportunity is executed when submission is a success. The step of executing the business plans is given on page 30, lines 10-14.

The invention of independent claim 11 is a business development process for an organization utilizing a business development database. (FIG. 1; page 9, line 23 through page 10, line 16) The first step is collecting data for ideas from a plurality of sources. Appellants' step of collecting ideas is supported at page 10, lines 12-16 of the specification. The next step of the method is identifying core equities of the organization. This is given in the specification at page 11, lines 6-20. The method then uses a step of filtering the collected idea data by identifying potential business opportunities as those collected ideas that fall within the identified core equities. Appellants' step of filtering is supported at page 10, line 24 through page 12, line 8 and in FIG.

Application No. 10/006,733

Attorney Docket No. 83042

2. Once the potential business opportunities are identified, an opportunity analysis is performed to determine valid business opportunities. Opportunity analysis is discussed on page 12, line 9 through page 22, line 10. Conducting an opportunity analysis is composed of several substeps. These include conducting a risk and reward assessment (pages 12-22) which includes developing risk benchmark values. A risk factor is identified in relation to the risk benchmark values. This is shown on page 20, lines 7-14, and in FIG. 9. Reward benchmark values are also developed. Reward factors are identified on page 21, lines 3-12, and in FIG. 9. A spread sheet is updated with calculated risk and reward factors. This is shown in FIG. 9. The spread sheet gives the recommended course of action. (FIG. 9). Resources are committed if the action is indicated as "Go". The method then has a step of committing resources to the validated business opportunities. This is described on page 22, lines 11-21, and in FIG. 1, at reference number 42. Committing resources is discussed on page 22, line 11 through page 26, line 21. A business proposal is developed for the valid business opportunities. The step of writing a business proposal is supported on page 28, line 5 through page 29, line 15. This developed business proposal is submitted to a potential buyer. The step of submitting the proposal to the buyer is given on page 29, lines 16-25. Success of the submission is determined. The step of determining success is given on page 30, lines 1-9. The

Application No. 10/006,733


Attorney Docket No. 83042

business opportunity is executed when submission is a success.
The step of executing the business plans is given on page 30,
lines 10-14.

The above amended summary includes a summary of independent
claim 3 which was omitted in the original appeal brief.
Appellants respectfully suggest that this amendment overcomes all
reasons for non-compliance presented in the notification. Please
contact the undersigned at 401-832-4230 should other corrections
be required for placing the appeal brief in the required format.

Respectfully submitted,
ERNEST A. MARVIN III

30 August 2007

BY 
JAMES M. KASISCHKE
Attorney of Record
Reg. No. 36562